

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3172 of 2022

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1. Ajay Kumar S/o Kuldeep Yadav Resident of Village - Orro, P.S. - Hisua, District- Nawada.
 2. Kuldeep Yadav S/o Late Gulab Yadav Resident of Village - Orro, P.S. - Hisua, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar Through Commissioner - cum- Secretary, Department of Home Special, Government of Bihar, Patna.
2. The Commissioner - cum- Secretary, Department of Home Special, Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Nawada.
5. Appointment Committee For Chowkidar through its President, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Advocate
For the Respondent/s : Mr. Ajay Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 13-04-2022

State counsel accepts notice for respondents. Copy of the petition shall be furnished to the State counsel if it is not already served.

In the instant petition, petitioners have prayed for following reliefs:-

“That this writ petition is for a direction the respondents to appoint petitioner no. 1 son of petitioner no. 2 on the post of Chowkidar.”

Learned counsel for the petitioners submitted that second petitioner submitted application for appointment of first



petitioner on 01.04.2019 and further second petitioner has taken voluntary retirement with reference to application dated 01.04.2019. Question for consideration in the present petition is in terms of policy matter of the State whether first petitioner is entitled to appointment to Chaukidar post or not?

In para 8 of the pleadings it is stated that first petitioner was born on 13.03.2002. Having regard to the date of birth as on 02.02.2019, first petitioner was minor. Therefore, question of entertaining second petitioner’s application dated 01.04.2019 to appoint first petitioner as Chaukidar is impermissible as first petitioner is not eligible to be appointed in terms of the scheme. Accordingly, the present petition stands dismissed.

(P. B. Bajanthri, J)

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CAV DATE	
Uploading Date	
Transmission Date	

